



FloorPrep

Legislative Digest

Thursday, May 11, 2000

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

*House Meets at 10:00 a.m. for Legislative Business
(No votes expected after 6 p.m.)*

Anticipated Floor Action:
H.R. 701—Conservation and Reinvestment Act of 1999

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H.R. 701-Conservation and Reinvestment Act of 1999

Floor Situation: On Tuesday, May 9, 2000 the Rules Committee granted a structured rule that provides 90 minutes of debate to be equally divided between the chairman and ranking minority member of the Committee on Resources. The rule makes in order H.R. 701 as an original bill for the purpose of amendment, in lieu of the amendment in the nature of a substitute now printed in the bill. The rule waives all points of order against the bill and the amendment in the nature of a substitute. It makes in order only those amendments printed in the report of the Rules Committee and provides that amendments may only be offered as printed in the report and by the Member so designated. All points of order are waived against amendments printed in the report and the rule provides one motion to recommend, with or without instructions.

Yesterday the House passed the amendments of Mr. Young (#1), Mr. Souder (#47) by voice vote and Mr. Shadegg (#30) by recorded vote (Roll No. 163). The amendments of Mr. Regula (#35), Mr. Randanovich (#14), Mr. Pombo (#22 & #21) and Ms. Chenoweth-Hage (#45) were voted on and were not adopted. Today the House will finish debate and vote on all remaining amendments.

Summary: H.R. 701 establishes a new program that provides Outer Continental Shelf impact assistance to state and local governments and amends several existing statutes to create a fund for the purchase of land for parks, renovation of historic properties, creation of new wildlife habitat areas and incentives to assist in the recovery of threatened and endangered species. The Conservation and Reinvestment Fund (CARA) will receive revenues from leased oil and gas tracts within a defined area of the Outer Continental Shelf. The Fund will then allocate these funds to state and local governments in accordance with the various titles of the bill. In addition to establishing the new OCS fund, the bill

amends the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (so-called Pittman-Robertson Act).

Amendments: At press time, the following amendments had not been voted on :

Mr. Peterson (PA) may offer an amendment (**#6**) that prohibits amounts available in the bill to be used for acquisition of land by the federal government except lands located within exterior boundaries designated before the date of enactment. These boundaries include the National Park system, the National Wilderness Preservation system, the National Wildlife Refuge System, the National Forest System, the national system of trails established by the National Trails System Act, federally administered components of the National Wild and Scenic Rivers system, and the national recreation areas administered by the Secretary of Agriculture. The purpose of this amendment is to complete already established systems, without the creations of new boundaries. It is written in response to recent Interior Appropriations oversight hearings of the Fish and Wildlife Service. *Staff Contact: Troy Tidwell, x 5-5121*

Mr. Chambliss may offer an amendment (**#9**) that shifts the date that mandatory spending for programs in the bill begins from fiscal year 2002 to fiscal year 2006. FY 2006 is the first year after the 5-year period covered by the current budget resolution ends. Coupled with striking the off-budget provisions of H.R. 701 contained in the manager's amendment, this amendment ensures that H.R. 701 is consistent with the budget resolution adopted by Congress in March. (20 minutes) *Staff Contact: Rob Leebern, x 5-6531*

Ms. Chenoweth-Hage may offer an amendment (**#26**) that removes the CARA provision that treats counties that have refineries within the state of California as though they are more approximate to producing leases for the local distribution of state funds for coastal conservation and impact assistance (Title I - Sec. 101). (10 minutes) *Staff Contact: Nathan Olsen, x 5-6611*

Mr. Hastings (WA) and Mr. Regula may offer an amendment (**#49**) that requires that 50% of the federal share of the funding for the Land and Water Conservation Fund provided in the bill be used to maintain and manage lands already in federal ownership. (20 minutes) *Staff Contact: Jon Deraney, x 5-5816*

Mr. Sweeney and Mr. McHugh may offer an amendment (**#40**) that provides local governments with the opportunity to object to projects listed under state and federal land acquisition plans under the LWCF. Affected local governments are notified of relevant acquisition proposals and are given 90 days to submit a resolution of disapproval to the Secretary or the Governor, depending upon whether the listing is in the federal or state plan. For state LWCF funding, the amendment requires states to notify each affected local government entity (state political subdivision) of each land acquisition proposal included in the state action agenda and, upon notification, state and local governments have 90 days to transmit to the Governor a resolution of disapproval. (20 minutes) *Staff Contact: Mike Power, x 5-5614*

Mr. Simpson and Mr. Walden may offer an amendment (**#51**) that requires the federal government, when acquiring land in a state in which 50% or more of the land in the state is owned by the federal government, to either dispose of an equal amount of land or obtain the approval of the state via passage of a specific state law before acquiring additional land. (20 minutes) *Staff Contact: Karl Anderson, x 5-5531*

Mr. Duncan may offer an amendment (#24) that changes the distribution of the \$450 million funding for the stateside portion of the Land and Water Conservation Fund as follows: 50% divided equally among the states; and 50% divided among the states based on the number of species listed as threatened or endangered in each state. (10 minutes) *Staff Contact: Don Walker, 5-5435*

Mr. Regula may offer an amendment (#34) that requires that states have a dedicated State Land Acquisition Fund. Federal funding dedicated to states lacking such plans will be reapportioned to those states that have dedicated state land acquisition funding accounts. (10 minutes) *Staff Contact: Karen Paterno, x 5-3876*

Mr. Moran (KS) may offer an amendment (#38) that clarifies that state-side portion of the Land and Water Conservation funds may be used for maintenance and capital improvements. (10 minutes) *Staff Contact: Jon Hixson, x 5-2715*

Mr. Kind may offer an amendment (#41) that calls for the establishment of a sediment and nutrient monitoring network in the Upper Mississippi River Basin for the purpose of reducing sediment and nutrient losses from the surrounding landscape. (10 minutes) *Staff Contact: Brad Pfafs, x 5-5506*

Mr. Calvert may offer an amendment (#11) that ensures that land owners are not forced to sell their property, and that all land owners are treated fairly in the process. The current willing seller provision in the bill applies only to the federal portion of funds, thus not guaranteeing that landowners property will not be condemned by state or local governments. (20 minutes) *Staff Contact: Jolyn Murphy, x 5-1986*

Mr. Hill (MT) may offer an amendment (#2) that prohibits any federal acquisition of lands in the State of Montana until the Secretaries of Interior and Agriculture issue a plan for acquisition and disposal of lands in the State of Montana. (10 minutes) *Staff Contact: Geoff Bowman, x 5-3211*

Mr. Buyer may offer an amendment (#20) that strikes non-profit organizations from using federal funds for the purchase of conservation easements. (10 minutes) *Staff Contact: Dan Garcia, x 5-5037*

Ms. Chenoweth-Hage may offer an amendment (#25) that strikes all definitions in Title III of the bill. The current definitions open the door for funding to go to organizations which engage in “public outreach,” species re-introduction and numerous other uses not currently in the law. This amendment eliminates a broad definition of “conservation” that greatly expands the management of non-game species, provides funds for highly controversial measures such as wolf and grizzly bear re-introduction. The amendment would in effect keep in place current law regarding eligible conservation uses. (10 minutes) *Staff Contact: Nathan Olsen, x 5-6611*

Mr. Udall (CO) may offer an amendment (#17) that amends Section 702 of the bill to add the Urban and Community Forestry Assistance Program to the list of programs for which the Secretary of Agriculture could use funds provided under section 5(b)(7). (20 minutes) *Staff Contact: Stan Slaus, x 5-2161*

Mr. Gibbons may offer an amendment (#44) that allows the Bureau of Land Management to auction public land identified for disposal in their Land Management Plans. (10 minutes) *Staff Contact: Jack Victory, x 5-6155*

Mr. Ose may offer an amendment (#18) that adds a new title at the end of the bill stipulating that amounts made available in the Act shall only be available for grants to states to provide assistance to incorporated cities, and to counties with a population of 1,000,000 or more. The amendment stipulates that amounts available in the bill may not be expended unless: Payment In-Lieu of Taxes (PILT) and Refuge Revenue Sharing payments are fully funded, and payments authorized in previous years have been made; and appropriate House and Senate Committees certify the maintenance and repair backlog on the existing National Parks, National Monuments, National Forests and lands managed by the Bureau of Land Management has been completed. (10 minutes) *Staff Contact: Matt Meagher, x 5-5716*

Mr. Thornberry may offer an **Amendment (#43) in the Nature of a Substitute**. Very similar to H.R. 701 except that it strengthens private property rights and PILT programs, addresses public maintenance problems in public parks, and makes the funding discretionary for the first five years that the bill is enacted. Comprehensive substitute which will delay mandatory funding of CARA for five years and do the following: Makes CARA subject to annual appropriations; Reduces LWCF by 1/4, if maintenance backlog by 5% each year; Funds PILT up to \$200 million; and Includes new private property protections. (40 minutes) *Staff Contact: Trey Baam, x 5-3706*

Additional Information: See *Legislative Digest*, Vol. XXIX, #10, May 5, 2000

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